

**Camden Select Board
Minutes of Meeting
June 21, 2011**

AS SELECT BOARD:

1. Public input on non-agenda items.

Wastewater Superintendent Ross Parker reported that the turbine from Seabright Hydro that was sent away to be refurbished went back in the building today and they are ready to start making power once we get some rain.

Town Manager Smith reported the paving project for Route 1 has been completed. The installation of the streetprint for the crosswalks has been set back because of scheduling and the rain.

2. Approval of Board Minutes from May 17, 2011 and June 7, 2011. This item was tabled.

3. Establishment of the Rules and Order of Business to be followed at Select Board meetings in accordance with Article II, Section 12b of the Town Charter.

John French made a motion to accept Rules of Order as drafted. Morgan Laidlaw seconded this motion.

Martin Cates would like to propose some changes to Item J. He recommends the following change: The Select Board will allow ~~proponents and opponents~~ **for public comment** on an item ~~to speak on an item~~. After Board discussion, further public ~~input~~ **comment** shall be permitted at the discretion of the Chair or by motion **of the Board**.

Board member French did not see the necessity of this change because this is already the policy of the Board.

Cates agreed however he has been approached by people that often times people are intimidated to speak when a hearing has been all negative and they want to say something positive or vice versa.

Town Attorney stated just to give context to this he works with a lot of towns and this is the only town that does a proponent and opponent approach. With public comment approach people can come forward and speak whether they are for or against an item one after another without segregating people and it also allows for people who just have a question and it allows for people who just have a comment.

John French made a motion to amend his motion to add the edits suggested by Chairman Cates. Donald White seconded this motion. The motion passed on a 4-1-0 vote. (French opposed)

Chairman Cates read the rules and regulations for conducting public hearings in preparation of the public hearing to be held this evening.

4. **Public Hearing regarding Maine Department of Economic and Community Development's (DECD) Communities for Maine's Future grant program.** Development Director Brian Hodges gave an opening presentation regarding the proposal. There was a bond referendum in June 2010 for \$23.7 million to provide capital investment to stimulate economic development and job creation through this Communities for Maine's Future program. Of that \$23.7 million bond issue \$3.5 million was dedicated to provide a competitive grant's program for all Maine municipalities for downtown revitalization projects. Many times these grants have low to moderate income requirements and this grant does not. The grant is administered by the State of Maine's DECD and require at least a one to one cash match for the grant. The applicant is a municipality but they are able to pair with others such as developers or other non-profit entities. He thinks the particular project that Stuart Smith is proposing is very exciting because of the quick turnaround time; there will be no spending of town funds which makes this very attractive. It will provide a downtown cinema which will draw people to that section of the downtown in particular on Bay View Street which has been an under-used part of the downtown. Having a location that provides a location is certainly known to attract a younger crowd; it will rehab a mostly vacant building using existing properties, makes uses of second floor space, supports a creative economy and will be employing green building concepts. He feels this will bring in more performances spurring additional activity and not taking away activity.

Stuart Smith, resident and business owner in Camden, presented the components of his proposal. The building proposed for this project (known as Bay View Street Garage) is home of the former Bay View Street Cinema, located on the 2nd floor. The Town of Camden is home to many noteworthy conferences and events such as the Camden Conference, PopTech, and the Camden International Film Festival. By rehabilitating this building, it will provide a venue for these economic drivers to flourish even more and support the many business already located in the downtown. In addition, there is no other theater in Camden. Nearby towns such as Rockland and Belfast have theaters but nothing is available in Camden, which is known as being a very strong and thriving arts community. By bringing a theater to the downtown, it will not only provide another venue to assist with strengthening the creative economy, it will also broaden the demographic base of Camden by attracting younger generations. The design of the theater space will include 2 smaller theaters with seating that can be moved to allow for other events, conferences, meetings, etc.

The first floor (street level) is partially occupied. The remaining space will be rehabilitated to provide elevator access and would be used as theater box office as well as office space. The bottom/ground level would be rehabilitated for food service (e.g. restaurant or bakery) and also include storage for the remaining building.

Chairperson Cates opened the hearing up to the public for comments and input:

Ray Andresen – Camden Cinema Committee – read a statement of support for the proposed theater on Bay View Street. (attached)

Des Fitzgerald – resident of Camden and Board Chair of Camden International Film Festival – for this film festival it is absolutely critical that they have a venue for their films and the film industry associates that come here and the audiences that participate. We have to look at a sustainable and long term viable cinema for them to have an operation that can move forward so he hopes the Select Board will support this application. He read letter from

Benjamin Fowlie (see letter attached) – founder of CIFF which is an annual documentary film festival highlighting the very best nonfiction films around the world.

Tom Wilhite- resident of Camden – he has no personal involvement in the theater but he has a strong interest in seeing the Bay View Street Cinema operating. Our Camden Economic Development Plan talks about the importance of making Camden a center of the creative economy. Having a movie theater in Camden is essential to that goal. Having a movie theater in Camden will absolutely simulate the creation of brand-new events and programs. The community benefits that will emerge from having a movie theater in Camden are fairly limitless. (see full letter of support attached)

Janis Kay – business owner in Camden – currently leases (10 Mechanic Street) where the old movie theater was and she supports this project. She thinks the space that Stuart Smith is talking about renovating is a much better space for a cinema. She thinks his plan is fabulous and cannot imagine that anyone would not want to see those three theaters happen again as well as developing the rest of 12 Bay View Street.

Greg Chilenski – resident of Camden – he is a Board member of the Camden Philosophical Society and they have had five annual conferences in Camden. They meet monthly for their discussion groups and they would love to put on documentary movies on philosophical topics and having a venue that would accommodate a media approach would be very exciting.

David Lyman – resident of Camden former owner of Maine Media Workshops – they used the Bay View Street cinema many times for workshops. There is a need for that and it has a facility that is not available in Rockport so having that kind of 35 mm projection is important in this area. With Stuart's vision this is one more thing that will attract more organizations to town. Where there may be a need now he thinks the need will be tremendous in the future and he is very much in support of this and to remember that we are voting for the future.

Dan Bookham- Executive Director of CRL Chamber of Commerce – he thinks this is the most economically viable concept that he has seen for a movie theater in the midcoast for many years and he thinks it's a very exciting project that is a change in thinking and a potential enhancement in many ways to what the Opera House has to offer. It's an ability to add an extra culture element in the form of movies to that evening entertainment piece. It is the continued improvement of an existing historic building. He thinks some smart thinking and good investment in existing infrastructure can really have an outsized impact on the vitality of a downtown. He thinks this is a great value of the public private partnership component and he hopes the Board chooses to support this application.

Bob Shotwell – resident of Camden- would like to respectfully ask the Select Board to give careful thought to the content that the Camden Cinema Committee stated in their letter of support. There is a lot of points in there that can be used for collaboration and success. He also would like to convey that there is a wealth of talent and energy and experience here in the community that can be brought to bear to make this project successful.

Peter Gross – resident of Camden and Chairman of CEDAC – at the last CEDAC meeting this was presented and CEDAC was very supportive of the concept as well as the grant

application. In order to further the application in it going forward they made the following motion:

“Because we feel the renovation of the building at 12 Bay View Street will positively impact downtown Camden, including enhancing its vitality, expanding the downtown campus concept and providing educational benefits, CEDAC endorses the CMF (Communities for Maine’s Future) grant application by the Town of Camden in the amount of \$400,000 and recommends that the Select Board support this project by approving this grant application.”

Bernice Berger – resident and business owner of Once A Tree – from her experience when she was on Bay View Street when there was a movie theater people came out at 9:00 at night and a whole other group of people who walked around the town, enjoyed the town, whether it was to go for an ice cream, restaurants or shop. She has found since the Cinema that staying open until 10:00 is just not worth it. The idea of having a cinema back in town gives her the hope that she might extend her hours. She thinks we are on to something very good.

Kit Parker – Chairperson of Historic Resources Committee – provided the following comments via email. Our town committee at our meeting last week discussed the building and Stuart Smith’s proposed redevelopment and passed the following motion unanimously: “The Camden Historic Resources Committee supports the 12 Bay View Street project, based on its intention to retain the historic character of the building, realizing the benefits it would bring to the community. The committee believes its use as a cinema is compatible with the historic uses of the building.”

In the early 20th century members of the summer colony used the building to store their vehicles in the winter. There is still an unusual elevator/turndtable that was used for that purpose.

It has since been used as a restaurant and theater. The theater, which closed some years ago due to the proprietor’s retirement, was one of the single anchor businesses (other than restaurants) for nightly evening activity in town. Often independent or non-mainstream films would be shown. There were also occasional free moving showings like “It’s a Wonderful Life” with Jimmy Stewart and Donna Read at Christmas time.

The proposed re-use as cinema spaces would both provide a needed venue for movies and other activities in town and continue to protect the historic building by providing a profit-making use to provide funds for its protection.

I am very enthusiastic about this project and hope that Stuart Smith will be successful in his grant application to be able to use the funds to preserve the historic elements while restoring this greatly missed resource for community gatherings.

Chairman Cates closed the public portion of the hearing, and Board discussion ensued.

Board members were in agreement this was a great collaborative effort among everyone involved and will be a positive approach to bring more people to the Bay View (downtown) area.

Don White made a motion to approve the submittal of the Communities for Maine's Future grant application for 12 Bay View Street and authorization for the Town Manager to sign the application. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

5. **Reconsideration of the designated Tour Bus Drop-off and Pick-up site.** Brian Hodges, Development Director reported a few years ago the Board approved a change in the drop-off/pick-up site for tour buses, moving the site from Route 1 at the Village Green to Mechanic Street. Along with this change was the provision of bus parking at the old MBNA property. There is a consensus that this Mechanic Street site does not serve our visitors well. The Parking Traffic and Transportation Committee was asked to revisit the designation of the tour bus site and the Committee has voted to return the site to Route 1.

Morgan Laidlaw made a motion to approve the re-designation of the Tour bus site for Route 1 at the Village Green. Don White seconded this motion. The motion passed on a 5-0-0 vote.

6. **Bid Awards:**

- a. **Camden Police Department Truck:** The Chief is recommending the bid be awarded to Quirk Auto Group for a 2011 Chevrolet 1500 Crew Cab in the amount of \$27,336, with the addition of \$525 for a bed liner, bringing the total to \$27,861. Funds for this purchase are included in the recently passed FY12 Budget.

John French made a motion to award the bid for the Police truck to Quirk Auto Group as recommended. James Heard seconded this motion. The motion passed on a 5-0-0 vote.

- b. **Public Safety Building Boiler Replacement.** In March the Board set aside \$18,800 from the FY11 Contingency Funds for the boiler replacement.

John French made a motion to award the bid for the Public Safety Building boiler replacement to Thayer Corporation in the amount of \$18,214. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

7. **Presentation from Peter Lindquist regarding a "Camden GreenDrinks" event.** Peter Lindquist reported this is an event to simply give young adults a place to meet, mingle and learn something about what local groups are doing to add vitality/sustainability to our region. There is a GreenDrinks Portland website, <http://www.portlandgreendrinks.com> with a lot more information about the purpose and young audience interest. Their organizing committee has been consulted about this event and have expressed an interest in supporting and guiding us. The event is scheduled for Thursday, July 21, 2011 from 5:00 pm to 8:00 pm at the Camden Snow Bowl. The event would charge enough revenue to all attendees approximately 125 to make a contribution to the Ragged Mountain Recreation Redevelopment Committee and a for a one time alcohol serving application to the Bureau of Public Safety.

John French made a motion to support the CamdenGreen Drinks event on Thursday, July 21, 2011 from 5:00 pm to 8:00 pm at the Camden Snow Bowl with the contingency that all details have been worked out with Police Chief, Fire Chief, Parks & Recreation Director, and the Town Manager. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

8. Review and approval of the following requests to withdraw funds from the Harbor Projects Reserve account:

- a. **\$4,270 to cover the purchase and refit of a used Whaler:** The Harbor Committee recommended the purchase of a used hull and the refitting of the whaler. The old whaler is listed for sale and the proceeds from that sale will be returned to the Harbor Reserve Fund.
- b. **\$863 to cover the rebuild of the mooring barge:** covers parts for the maintenance refit of the barge.
- c. **\$1,281 to cover the refit of the finger float irons:** covers maintenance parts
- d. **\$3,478 for further stabilization of the Steamboat Landing turnaround:** Please see the memo from Gartley & Dorsky and the price quote from George Hall and Sons for detail. This work will be done along with the punch list items from last Fall's drainage project.

John French made a motion to approve the withdrawal of \$8,892 from the Harbor Projects Reserve for the above purposes. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

John French made a motion to close as Select Board and reconvene as Wastewater Commissioners. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

As Wastewater Commissioners:

1. Establishment of the Rules of Order to be followed at Wastewater Commissioner Meetings.

John French made a motion to approve the Rules and Order of Business as amended earlier this evening for the Select Board Rules and Order of Business. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

2. Appointment of Chief Executive and Administrative Official of the Wastewater Department, and of the Superintendent of the Wastewater Department, Pursuant to Article V, Section 7 of the Town Charter.

John French made a motion to reappoint Roberta Smith as Chief Executive and Administrative Official of the Wastewater Department until October 31, 2011 and reappoint Ross Parker as Superintendent of the Wastewater Department until June 30, 2011 pursuant to Article V, Section 7 of the Town Charter. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

3. Review and approval of the FY12 Wastewater Budget. Included with the Budget is an explanatory memo from the Superintendent, Ross Parker, and revenue history and projections. Ross and the Town Manager have reviewed the department's needs and are recommending the a 2.6% rate increase for FY12 for the Wastewater Budget.

John French made a motion to approve the FY12 Wastewater Budget and the associated rate increase to \$3.85/100 cubic feet and an I&I Fee of \$2.54 per gallon. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

John French made a motion to close as Wastewater Commissioners and reconvene as Select Board. The motion passed on a 5-0-0 vote.

- 9. Execution of Pumpout System Grant Award with Maine DEP.** The Maine DEP has approved the renewal of the grant which supports the Town's pumpout system through the 2013 operating season.

John French made a motion to approve the Pumpout System Grant Award Agreement and authorize its signature. James Heard seconded this motion. The motion passed on a 5-0-0 vote.

- 10. Consideration of the following Victualer's License renewals: Blue Harbor House, Camden Bagel Café, Camden Hideaway Inn, Camden Riverhouse Hotel, Paolina's Way, and Anderson Inn at Quarry Hill.** The appropriate application reviews have been made by the Code Enforcement Officer and the Fire Chief.

John French made a motion to approve the Victualer's License renewals as listed. Don White seconded this motion. The motion passed on a 5-0-0 vote.

- 11. Consideration of the following Lodging Establishment License renewals: Blue Harbor House, Camden Hideaway Inn, and Camden Riverhouse Hotel.** The appropriate application reviews and inspections have been made by the Code Enforcement Officer and the Fire Chief.

John French made a motion to approve the Lodging License renewals as listed. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

- 12. Reappointment of the Town Manager pursuant to Article II, Section 1 of the Town Charter.**

John French made a motion to reappoint Roberta Smith through October 31, 2011. Don White seconded this motion. The motion passed on a 5-0-0 vote.

- 13. Reappointment of the Road Commissioner pursuant to Title 23, Section 2701, MRSA.**

John French made a motion to reappoint Rick Seibel for the ensuing year. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

- 14. Reappointment of the Harbormaster pursuant to the Harbor & Waterways Ordinance, Article III, Section 3.**

John French made a motion to reappoint Steve Pixley for the ensuing year. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

- 15. Reappointment of an Assessor's Agent pursuant to Article IV, Part C, Section 2 of the Town Charter.**

John French made a motion to reappoint Wesley Robinson for the ensuing year. James Heard seconded this motion. The motion passed on a 5-0-0 vote.

16. Confirmation of the Town Manager's appointments of the Treasurer, Tax Collector, and the Town Clerk and Department Heads pursuant to Article III of the Town Charter.

John French made a motion to reappoint Marlene Libby, Theresa Butler, and Katrina Oakes for the ensuing year. James Heard seconded this motion. The motion passed on a 5-0-0 vote.

17. Assignment of Select Board Liaisons to Town Committees and Boards. The Board reviewed and assigned Select Board members to Select Board committees. The other liaisons will be appointed after the workshop regarding the structure of current committees/boards to obtain better citizen involvement.

18. Committee Reports. There was none.

19. Manager's Report

- a. Kristin Collins has joined Bill Kelly's law firm and he will be bringing her to a meeting in the future to introduce her to the Board.

John French made a motion to adjourn at 10:00 pm. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

Respectfully submitted,

Janice L. Esancy
Recording Secretary